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Response to Arguments

1. Applicant's arguments with respect to claims 1,3-24 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 6,11,17 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The claims recite the limitation of determining that the estimated position is incorrect based on a comparison with an approximate position determined by the mobile device.

The above underlined feature is not disclosed in the specification and hence is considered new matter. Further if this feature is removed then the claims are still rejected as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

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A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1,7,12,18,24 are rejected under 35 U.S.C. 102(b) as being anticipated by Theimer [US 5,544,321].

Regarding claims 1,7,12,18 Theimer discloses a method of computing location of a mobile terminal in a wireless telecommunication terminal. Theimer also discloses the use infrared/short range RF transceiver to detect devices (see col. 2, lines 16-21).Theimer further discloses a method of

- using a processor in the mobile device to gather a list of wireless devices near the mobile device, the device in communication with the network; see abstract, col. 1, lines 35-40; col. 2, lines 16-21; col. 4, lines 6-11
- sending a location request to location service accessible through the network accessed wirelessly by the mobile device; see col. 8, line 66 - col. 9, line 12; col. 9, lines 28-41; col. 14, lines 53-57
- using the processor on the server accessing a database of known device and correlating the list of addresses with zone information stored in the database, wherein zone information comprises device addresses that define one or more zones; see col. 17, lines 61-67; col. 18, lines 3-5; col. 19, lines 24-25 and lines 50-54; col. 20, lines 25-29
- send an estimated position of the mobile device to the mobile device. See col. 9, lines 2-12

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Regarding claim 24, Theimer discloses a method for developing a database for a location determination service, comprising:

- building a map of an area served by a network; See col. 17, line 49 – col. 18, line 36 all read on the claimed limitation of having a map of an area like location of buildings, rooms, corridors etc in a given property
- entering the locations of stationary and permanent devices and the associated device addresses into a database, by a mobile device; col. 19, lines 1-31
- recording, using a test device, at multiple locations one or more accessible wireless addresses; col. 18, lines 41-57; col. 19, lines 1-13
- combining the map, the locations of stationary and permanent devices, and the accessible locations into the database; see col. 17, line 49 – col. 18, line 36; col. 19, lines 1-32;
- defining one or more coverage zones of the area served by the network. Col. 17, lines 4-19; col. 18, lines 1-36

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-5,8-10,13-16, are rejected under 35 U.S.C. 103(a) as being unpatentable over Theimer [US 5,544,321] in view of Negishi [US 5,974,330].

Regarding claims 3,8,13, Theimer discloses all the limitations as claimed. However, he does not disclose a method wherein the location information includes a text-based description.

Negishi, in the same field of endeavor, teaches a method wherein the location information includes a text-based description. See Fig. 3, col. 4, lines 1-27 and col. 5, lines 4-51

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify Theimer with Negishi's teaching in order to enhance user's experience.

Regarding claims 4,9,15, Negishi discloses a method of providing an approximate position of the mobile device to the location service. See col. 4, lines 1-27 (where the current position of the mobile device is within 100 m thus indicating an approximate position of the mobile unit relative to the serving base station).

Regarding claims 5,10,16, Negishi further discloses a method wherein the approximate position is determined by a global positioning system (GPS) device. See col. 4, lines 1-27.

Regarding claim 14, Negishi further discloses a method wherein the location estimation includes a graphical description of the mobile device location. See col. 5, lines 4-51.

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Regarding claim 23, Negishi discloses a method wherein the estimated position of the wireless device is provided on a graphical map. See col. 5, lines 34-42.

5. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Theimer [US 5,544,321] in view of Parry [2002/0164997].

Regarding claim 19, Theimer disclose all the limitations as claimed. However, they do not disclose a method of including a Bluetooth transceiver in the wireless device.

Parry, in the same field of endeavor, teaches the use of Bluetooth transceiver in the wireless device. See page 3, paragraph 28.

Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide the above teachings of Parry to Theimer in order to provide wireless interconnectivity of a wide range of devices without the use of cables.

Regarding claim 20, Parry further discloses the wireless device to include an IEEE 802.11 transceiver. See page 3, paragraph 28.

Regarding claim 21, Parry discloses a method wherein the at least one other device includes a printer. See page 2, paragraph 26.

Regarding claim 22, Parry discloses a method wherein the at least one other device includes a computer. See page 2, paragraph 27.

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6. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Theimer [US 5,544,321] and Parry [2002/0164997] in view of Negishi [US 5,974,330].

Regarding claim 23, Theimer and Parry disclose all the limitations as claimed. However, they do not disclose a method wherein the estimated position of the wireless device is provided on a graphical map.

Negishi, in the same field of endeavor, teaches a method wherein the estimated position of the wireless device is provided on a graphical map. See col. 5, lines 34-42.

Therefore it would have been obvious to one with ordinary skill in the art at the time the invention was made to provide Negishi's teaching to modified Theimer in order to enhance user's experience.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Pickup US 6,665,712

Karaoguz US 2009/0137256

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sujatha Sharma whose telephone number is 571-272-7886. The examiner can normally be reached on Mon-Fri 7.30am - 4.00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on 571-272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sujatha Sharma/
Primary Examiner, Art Unit 2618
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